

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Commercial Taxes Department - Sri P.Satyanaryana Murthy, Assistant Commercial Tax Officer (Retired) - Allegations committed certain irregularities while he was working as Asst. Commercial Tax Officer, Nidadavolu, W.G. Dist. - Disciplinary proceedings under rule 20 of APCS (CC&A) Rules, 1991 - Charges framed and proved in the Enquiry - Penalty imposed - Orders of the APAT dt:29.6.2007 in M.A.No.1659 of 2006 in OA.No. 7759 of 2002 filed by the individual - Show Cause Notice Issued - Explanation submitted - Imposition of punishment of recovery of an amount equivalent to the cash value of the last increment (before retirement) for a period of 6 months from his Gratuity - Orders - Issued.

REVENUE (VIG.I) DEPARTMENT

G.O.Rt.No. 833

Dated:13-07-2011.

Read the following :

- 1) Proceedings of the Deputy Commissioner, C.T, Kakinada, NO. E1/1860/98, Dated; 19.4.2000;
- 2) From the APAT, orders dt:29.6.2007 in M.A.No. 1659 of 2006 in O.A.No. 7759 of 2002 filed by Sri P. Satyanarayana Murthy, ACTO (Retd.) W.G. District;
- 3) Govt. Memo No.21807/Vig. I(2)/2009-2, Rev. (Vig.I) Dept., Dt: 16.11.2009.
- 4) From Sri P. Satyanarayana Murthy, ACTO (Retd.), Palakol, W.G. Dist., application dated 11.1.2010;
- 5) Govt. Memo No.21807/Vig. I(2)/2009-5, Rev. (Vig. I) Dept. Dt:2.12.2010;
- 6) From Sri P. Satyanarayana Murthy, ACTO (Retd.), Palakol, W.G. Dist., application dated 2.5.2011

O R D E R:

In the reference 1st read above, the Deputy Commissioner, Commercial Taxes, Kakinada has imposed a punishment of stoppage of two annual grade increments with cumulative effect against Sri P.Satayanarana Murthy, Assistant Commercial Tax Officer, as the six charges framed against him viz., relating to working at observation points while on leave, making separate entries on original and duplicate copies, collection of donations from the dealers in the name of "GOD", late remittances etc., were held proved in the enquiry.

2 In the reference 2nd read above, the Andhra Pradesh Administrative Tribunal has set aside the orders of the punishment imposed by the Deputy Commissioner Commercial Taxes, Kakinada on the ground that the copy of the Enquiry Officer's Report was not furnished to the applicant as per the provisions of A.P.C.S (CCA) Rules, 1991, before imposing such punishment.

P.T.O.

3. In the reference 3rd read above, a copy of the enquiry report of Assistant Commissioner Commercial Taxes (Audit), Eluru, West Godavari District dated 5.1.1998 was communicated to Sri P. Satyanarayana Murthy, Assistant Commercial Tax Officer (Retd. on 30.9.2003); keeping in view the orders of APAT dt: 29.6.2007 in M.A.No. 1659 of 2006 and the individual was directed to submit his representation on the findings of E.O, for taking further action in the matter. Sri P. Satyanarayana Murthy, ACTO (Retd.) has submitted his representation in the reference 4th read above.

4. Government have examined the representation of Sri P. Satyanarayana Murthy, ACTO (Retired) and after careful examination of the matter, have provisionally decided to impose a punishment of recovery of an amount equivalent to the cash value of the last increment (before retirement) for a period of 6 months from his pension.

5. Accordingly, the above provisional decision was communicated to Sri P. Satyanarayana Murthy, ACTO (Retd.) and he was directed to submit his representation on the above provisional decision, vide reference 5th read above.

6. In the reference 6th read above, Sri P. Satyanarayana Murthy, ACTO (Retd.) has submitted his representation and among others, he has stated that the petitioners /dealers did not attend the enquiry and that the Enquiry was conducted behind his back and as such the allegations shall be treated as not proved and requested not to take the findings of Enquiry Officer into cognizance. He has requested to drop the proposed action and to regularize his suspension period from 22.3.1997 to 17.4.1998 undergone by him, as on duty, under FRs.

7. Government have examined the representation of the individual; keeping in view the findings of Enquiry Officer and charges framed and observe that out of the (6) charges held proved in the enquiry, the Charge-III relating to inspection of shops in violation of instructions issued is proved and in respect of the Charge-VI relating to conducting of vehicular check during his leave period ie., from 20.9.1996 to 24.9.1996 wherein the Charged Officer admitted that he handed over signed blank receipt books to the Junior Assistant, which is a serious lapse, was also proved. In view of the proven charges, Government have decided to impose a punishment of recovery of an amount equivalent to the cash value of the last increment (before retirement) for a period of 6 months from the Gratuity of Sri P. Satyanarayana Murthy, ACTO (Retd) instead of from his pension

8. Accordingly, Government hereby impose the punishment of recovery of an amount equivalent to the cash value of the last increment (before retirement) for a period of 6 months from the gratuity of Sri P. Satyanarayana Murthy, ACTO (Retd.), under rule 9 of APRPs, 1980.

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9. The suspension period undergone by Sri P. Satyanaryana Murthy, ACTO (Retd.) from 22.3.1997 to 17.4.1998 is treated as “not on duty” and be regularized under FR 54-A (2) (i).

10. The Commissioner of Commercial Taxes, A.P, Hyderabad is directed to take necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri P.Satayanarayna Murthy, ACTO (Retd.)
through the Commissioner of Commercial Taxes, A.P. Hyderabad.
The Commissioner of Commercial Taxes, A.P. Hyderabad
(with request to serve the order on individual and
furnish the served copy to the Government
with date signature).

Copy to:
The Dy.Commr. CT, Kakinda, E.G. Dist.,
PS to Prl. Secy. to Govt. Rev. Dept.,
The Revenue (CT.I) Dept.,
SF/SC.

// FORWARDED BY ORDER//

SECTION OFFICIER